

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF /

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: February 12, 2024

JAMAL BRISSETT  
v.  
UNITED STATES OF AMERICA

Case No.: S1 19 CR 153(KMW)

## MEMO ENDORSED

Motion For Sentence Reduction Based On Changes In The  
Sentencing Guidelines Under Criminal History Enhancement  
And Request For Counsel To Represent Me.

NOW COMES JAMAL BRISSETT, am unable to afford  
counsel for the purpose of making a motion to review my sentence  
under the recent ruling that the United States Sentencing Commi-  
ssion changes. Due to the facts that the courts enhanced my  
points, and sentencing from my Criminal History which put me in  
a higher category for longer imprisonment. Now with these new  
changes in law, I feel if I was sentenced now I would have had a  
lesser sentence due to the facts of the law changing, under the  
sentencing guidelines.

I hereby request that counsel be appointed to represent me to  
determine whether, I may be eligible for release from incarceration  
under this new law that the United States Sentencing Commi-  
ssion changed in the sentencing guidelines under § 4A1.1.

If you could please review my "Pre-Sentence Investigation  
Report" and you wil see that the government relied upon my prior  
offenses to impose my sentence. I received Criminal History En-

hancements. And were sentenced based on acquitted conduct or received sentence that are no longer authorized under current law. I am asking the court to please... appoint me an attorney to represent me in this matter of request.

Respectfully submitted,

Name: JAMAL BRISSETT  
Reg. No.: 76269-054  
Canaan USP  
P.O. Box - 300  
Waymart, PA 18472

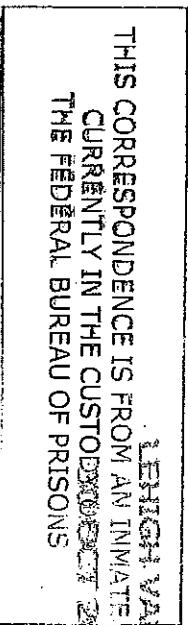
The Probation Department has issued a report stating that Defendant is ineligible for a sentence reduction pursuant to Amendment 821. (See Suppl. Presentence Investigation Report at 2-3, ECF No. 60.) Defendant is ineligible for a sentence reduction pursuant to Amendment 821 because (1) he did not receive an enhancement for committing the instant offense while under a criminal sentence, and (2) he is not a zero-point offender. (*Id.* at 2.) Because Defendant is not eligible for a sentence reduction, Defendant's motion for appointment of counsel is DENIED. See *United States v. Cirineo*, 372 F. App'x 178, 179–80 (2d Cir. 2010) (summary order) (explaining that a court does not abuse its discretion in denying a defendant's motion for appointment of counsel "where it [is] readily ascertainable from the record that [the defendant is] ineligible for a reduction in sentence" pursuant to Section 3582(c)(2)).

SO ORDERED.

DATED: New York, New York  
February 12, 2024

/s/ Kimba M. Wood  
KIMBA M. WOOD  
UNITED STATES DISTRICT JUDGE

JAMAL BLESSITT 76269-054  
USP CANAAN  
PO BOX 300  
WAYMANT, PA 18472



**R**EGEIVLE CLERK OF THE COURT  
DANIEL PATRICK MOYNIHAN  
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500 PEARL STREET, ROOM 120  
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B.C

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CLERK OF THE COURT  
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